

computer screen, including cells in which the participants display the subject. Similarly, first group of cells are included on the display medium for the participants to display the solutions or actions to be taken, defined as thought results, to solve and/or accomplish the subjects. A second group of cells is also provided on the display medium for displaying thought results selected from the thought results displayed in the first group of cells based on specific criteria, such as feasibility, economy, etc. The second group of cells can comprise cells that include all or part of the selected thought results arranged or sorted in a specific order. Also, the second group of cells can be divided into a plurality of group of cells wherein the number of cells in each group of cells is reduced till the last group of cells includes a single cell. This arrangement of cells permits the selection of the best solution and/or action to be taken by continuously selecting the better solutions and/or actions to be taken from previous selected group of solutions and/or actions until a single best solution and/or action is chosen.

It is important to note that the subject and the thought results are chosen and displayed on the display medium by the participants and, therefore, they correspond to the data to be inputted onto the instrument for contemplation. Thus, thought results should not be confused with the claimed devices as recited in claims 8-17.

Accordingly, the invention provides a concrete and tangible result which consists of an instrument for contemplation comprising a medium for displaying words as well as means for rearranging those words.

In addition, the instrument for contemplation, as recited in claims 8-17 should be viewed as a machine, within the meaning of 35 U.S.C. § 101, with tangible components. In fact, as recited in claims 8 and 14, the claimed instrument for contemplation comprises a medium for displaying words as well as means for rearranging those words. The specification clearly describes the medium for displaying the words as well as the means for rearranging those words.

In accordance with one embodiment of the invention the medium for displaying words can include a paper on which the displaying cells are printed as shown in Figure 4 and described in page 7, lines 19-23 of the specification. In accordance with another embodiment of the invention, the medium for displaying words can be a display of a computer as described in page 5, line 18 to page 6, line 9. In accordance with this embodiment of the invention the word

displaying cells as shown, for example, in Figure 4 would be displayed on the computer.

Therefore, claims 8-17 are directed to statutory matter within the boundaries set by 35 U.S.C. § 101. Accordingly, withdrawal of this rejection is respectfully requested.

III. Rejection under 35 U.S.C. § 112

Claims 8-17 stand rejected under 35 U.S.C. § 112, first paragraph as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention.

In accordance with MPEP § 2164.01 (b) “[a]s long as the specification discloses at least one method for making and using the claimed invention that bears a reasonable correlation to the entire scope of the claim, the entire enablement requirement of 35 U.S.C. 112 is satisfied.”

The specification provides sufficient descriptions to enable one skilled in the pertinent art to make and use the claimed invention. The specification provides several examples of subjects and thought results. For example, in page 1, lines 19-21, is provided an example of a subject such as “to double the turnover in the next term” as well as examples of thought results which are actions to be taken that will accomplish the proposed subject (to double the turnover in the next term). These thought results are “to expand the floor space of the shop” and “to increase the sort of loss leaders.” Also, the thought results are not only limited to solutions or actions to be taken to solve or accomplish a specific subject. The thought results can be keywords associated in any way to a particular subject as specified on page 9, lines 6-8. Accordingly, the term “thought result” is clearly described in the specification in such a way as to make clear to a user of the invention how that term is defined.

Moreover, the specification clearly describes the elements that conform the instrument for contemplation as recited in claims 8-17. As said before, in accordance with one embodiment of the invention the medium for displaying words can include a paper on which the displaying cells are printed as shown in Figure 4 and described in page 7, lines 19-23 of the specification. In accordance with another embodiment of the invention, the medium for

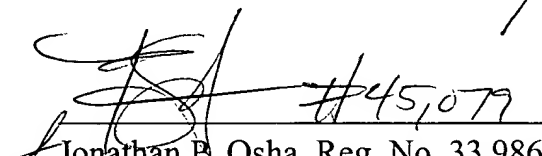
displaying words can be a display of the computer as described in page 5, line 18 to page 6, line 9. According to this embodiment of the invention the word displaying cells as shown, for example, in Figure 4 would be displayed on the computer screen.

Also, the methods for using the instruments for contemplation are described in detail in the specification. For example, descriptions located in page 15, line 13 to page 19, line 19 describe the use of the instrument for contemplation as recited in claims 8-13. Descriptions located in page 19, line 20 to page 22, line 20 describes the use of the instrument for contemplation as recited in claims 14-17.

Therefore, claims 8-17 recite subject matter which was described in the specification in such a way as to enable one skilled in the pertinent art to make and use the invention. Accordingly, withdrawal of this rejection is respectfully requested.

Respectfully submitted,

Date: 2/4/03


Jonathan P. Osha, Reg. No. 33,986
Rosenthal & Osha L.L.P.
1221 McKinney, Suite 2800
Houston, TX 77010
Telephone: (713) 228-8600
Facsimile: (713) 228-8778